

## Message Text

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PAGE 01 QUITO 06135 081917Z  
ACTION OES-07

INFO OCT-01 ARA-10 ISO-00 DLOS-09 L-03 FEA-01 ACDA-07  
AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00  
COME-00 DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05  
FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00  
NSAE-00 NSC-05 NSF-01 OMB-01 PA-01 PM-05 PRS-01  
SP-02 SS-15 USIA-06 /123 W  
-----017835 081948Z /64

P R 081705Z SEP 77  
FM AMEMBASSY QUITO  
TO SECSTATE WASHDC PRIORITY 5672  
AMEMBASSY SAN JOSE PRIORITY  
AMEMBASSY MEXICO PRIORITY  
INFO AMEMBASSY LIMA  
AMEMBASSY SANTIAGO  
AMEMBASSY PANAMA  
AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 6135

E.O. 11652: GDS  
TAGS: EFIS, PFOR, EC  
SUBJECT: ECUADOR BACKING AWAY FROM SAN JOSE TUNA CONFERENCE

REF: (A) STATE 214030; (B) STATE 212968; (C) QUITO 5794

1. SUMMARY. GOE HAS SENT NOTE TO MEXICO AND COSTA RICAN GOVERNMENTS REQUESTING A POSTPONEMENT OF SAN JOSE CONFERENCE ON A NEW TUNA FISHING AGREEMENT LATER THIS MONTH. GOE ARGUES THAT THE PREPARATIONS ARE NOT SUFFICIENTLY ADVANCED AT THIS LATE STAGE AND ALSO EXPRESSES CONCERN THAT LACK OF PREPAREDNESS MIGHT ERASE PROGRESS MADE ON HIGHLY MIGRATORY SPECIES ARTICLE AT LOS CONFERENCE. SENIOR FONOFF OFFICIALS HAVE EXPRESSED SAME RESERVATIONS TO EMBASSY. EMB. WILL ATTEMPT TO ASSUAGE GOE CONCERNS WITH DEMARCHE SUGGESTED BY REF A. END SUMMARY.

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2. FONOFF HAS PROVIDED US WITH A COPY OF A NOTE THAT GOE SENT SEPTEMBER 6 TO COSTA RICAN AND MEXICAN EMBASSIES FORMALLY REQUESTING THAT SAN JOSE CONFERENCE BE POSTPONED. THE PERTINENT PARTS OF THE TEXT AS FOLLOWS:

"IN ORDER TO PREPARE FOR THE SAID CONFERENCE AND TO ESTABLISH CRITERIA OF JUDGEMENT WHICH WOULD PERMIT ECUADOR TO LEND ITS

CONSTRUCTIVE SUPPORT TO THE CONFERENCE, ECUADOR REQUESTED THE AGENDA FOR THE MEETING AS WELL AS THE DOCUMENTS THAT WOULD SERVE AS THE BASIS FOR THE PREPARATION OF THE NEW CONVENTION. NEVERTHELESS, SINCE THE GOVERNMENT OF ECUADOR HAS NOT BEEN ABLE TO OBTAIN SAID DOCUMENTS UP UNTIL THE PRESENT, ECUADOR WILL NOT BE ABLE TO HOLD IN A TIMELY MANNER THE INDISPENSABLE CONSULTATIONS EITHER WITH ITS INTERNAL AGENCIES CONCERNED WITH THIS PROBLEM, NOR WITH THE OTHER PARTICIPANT COUNTRIES-- ESPECIALLY WITH THE COUNTRIES OF THE TRIPARTITE SYSTEM ON THE SOUTHERN PACIFIC WITH WHOM ECUADOR MAINTAINS COORDINATION IN SUCH MATTERS. IT IS ASSUMED THAT OTHER INTERESTED GOVERNMENTS WILL BE FACING SIMILAR SITUATIONS.

"BECAUSE OF THE REASONS EXPRESSED ABOVE, THE GOVERNMENT OF ECUADOR REQUESTS THE GOVERNMENT OF COSTA RICA TO POSTPONE SAID CONFERENCE FOR A DATE WHICH WILL BE FIXED IN COMMON AGREEMENT OF ALL THE PARTICIPANTS.

"THIS POSTPONEMENT WILL ALSO GIVE AN OPPORTUNITY FOR A MORE APPROPRIATE COORDINATION AMONG THE PROBLEMS THAT ARE TO BE TREATED IN SAN JOSE AND THOSE WHICH ARE BEING CONSIDERED BY THE III CONFERENCE ON LAW OF THE SEA, ESPECIALLY THOSE WHICH REFER TO THE EXTENT OF THE RIGHTS OF THE COASTAL STATE IN MARITIME ZONES ADJACENT TO THEIR COAST AS WELL AS THOSE CONCERNING THE REGIME APPLICABLE TO HIGHLY MIGRATORY SPECIES INCLUDED IN ARTICLE 64 OF THE PART V OF THE OFFICIAL CONSOLIDATED

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DATED NEGOTIATING TEXT PREPARED FOR THE VII SESSION OF SAID CONFERENCE WHICH WILL BE HELD IN GENEVA NEXT MARCH.

"AS THE GOVERNMENT OF COSTA RICA IS AWARE THE CONSULTATIONS REGARDING HIGHLY MIGRATORY SPECIES DEVELOPED IN NEW YORK DURING THE VI SESSION ATTAINED REMARKABLE PROGRESS AND AT THE END OF THE SESSION IT WAS AGREED THAT SUCH CONSULTATIONS SHOULD CONTINUE IN THE INTERSESSIONAL PERIOD WITH A VIEW THAT THEY REACH FRUITION IN THE FOLLOWING SESSION."

3. SENIOR FONOFF OFFICIALS HAVE CONTINUED TO EXPRESS TO US THEIR DISSATISFACTION ABOUT THE PREPARATION FOR THE MEETING. THE FUMBLING OF THE CO-SPONSORS, IN THEIR EYES, HAS RENDERED THE CONFERENCE NEARLY USELESS AT THIS POINT AND THEY FEAR THAT LACK OF SERIOUS PREPARATION COULD LEAD, WILLY NILLY, TO MISUNDERSTANDINGS AND MISAPPREHENSIONS WHICH COULD SET BACK THE PROGRESS IN NEGOTIATING AN AGREEMENT ON THE TREATMENT OF TUNA IN LAW OF SEA CONFERENCE. ECUADOREAN HASTEN TO ADD THAT THEY ARE VERY SUPPORTIVE OF THE GOALS OF THE CONFERENCE, BUT BELIEVE, NOW RATHER STRONGLY, THAT LATER MIGHT BE BETTER. GOE HAS NOT PRESENTED AN ULTIMATUM, HOWEVER, AND WE THINK THAT IT WOULD PROBABLY ATTEND CONFERENCE (BUT PERHAPS ONLY AS AN

OBSERVER) IF SPONSORS INSISTED IN GOING AHEAD AS SCHEDULED.

4. EMBASSY HAS JUST RECEIVED REFS A AND B AND WILL MAKE DEMARCHE IMMEDIATELY FOLLOWING GUIDANCE SUGGESTED. WE BELIEVE THAT US OVERALL LOW-KEY APPROACH AND SPECIFIC MANIFESTATION OF UNDERSTANDING OF GOE'S PROBLEMS AS INDICATED IN REF A ARE HIGHLY APPROPRIATE IN THIS INSTANCE. WE HOPE THAT BUSTAMANTE AND COLLEAGUES WILL RESPOND IN KIND.  
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## Message Attributes

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**To:** STATE SAN JOSE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009